REMARKS

The Examiner has rejected claims 51 and 52 under 35 USC § 112, paragraphs 1 and 2.

Claims rejections – 35 USC 112, first paragraph:

The Examiner has identified the reference number 16 as the "second support" defined in claims 51 and 52, and suggested that no support can be found in the original disclosure for, "the second support being movable in a direction substantially perpendicular to the common horizontal plane" as set forth in claims 51 and 52. However, in the specification at page 6, lines 16 and 17, the reference numeral 16 identifies a "second table." The second support referred to in claims 51 and 52 is not the "second table 16," but rather the support block 27 of the cold separation unit 10.

Support for the statement in claim 51 (lines 26-27) and claim 52 (lines 27-28) can be found at page 7, lines 13 to 22, repeated below:

"The cold separation means is shown in detail in Figures 5 and 7. The cold separation unit 10 comprises a band saw having a band saw blade 26 which passes through a slot 32 in a support block 27 moving in the direction indicated by arrow Y. The support block 27 carries three pairs of support rollers 28, each roller being mounted on a shaft 31. The position of the support block 27 is movable vertically in the direction indicated by arrow X with respect to the frame 15 of the cold separation unit 10. This is so that the support rollers 28 can be raised or lowered into a position where they just touch, and thereby support, the part of the elongate member to be separated. In Figures 5 to 7, the support rollers 28 are supporting the web of an I-beam traveling into the cold separation unit in the direction Z."

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The common horizontal plane set forth in claims 51 and 52 is the plane in which the first and third supports extend. From the description at page 7, lines 13 and 22 (repeated above) and Figures 5 and 7, it is clear that the support block 27 and the support rollers 28 carried thereby may move in a direction substantially perpendicular to the said common horizontal plane.

Claims Rejections – 35 USC 112, second paragraph – Claims 51 and 52:

"*Metal cutter*" has been amended to --metal cutting means-- as suggested by the Examiner.

"*said second support having ancillary undersupports disposed laterally to either side of said metal cutter*" – the second support is the support block 27 which carries support rollers 28. As can be seen in Figures 5 and 7, the metal cutting means passes through a slot 32 in the support block 27.

"*ancillary undersupports*" – these are the support rollers 28 which engage with the under side of the elongate metallic workpiece.

"*at lease one pair of horizontally spaced apart non-driven guide rollers*" is vague as to what disclosed structure it refers, particularly in view of the previous recitation of "means to constrain lateral movement of said workpiece" – in amended claims 51 and 52, it is made clear that the means to constrain lateral movement of said owrkpiece passing through said separation unit comprises at least one pair of horizontally spaced apart guide rollers 11 (see Figures 1 and 3) adjacent said metal cutting means.

"*said constraint means*" – has been amended to --said constraining means-- as suggested by the Examiner.

"*linear driver*" – has been amended to --linear drive means--.

"*conveyor table*" in line 23 -- this term has been deleted. The requirement of amended claims 51 and 52 is for the presence of "a plurality of horizontally disposed driven rollers engageable with an underside of said elongate metallic workpiece." As the separated pieces of the elongate metallic workpiece exit from the separation unit, they are pulled away from the said unit by the horizontally disposed driven rollers. In the specific embodiment of the invention shown in the drawings, these rollers are the rollers 17 mounted on a conveyor table 16 located between the separation unit 10 and the third workpiece support 18.

"*extensible*" -- has been amended to --extending--.

With reference to the objection to "said second support having ancillary undersupports disposed to either side of said metal cutter," the applicant has deleted this and inserted some clarifying wording.

The amendment links the terms "at least one pair of horizontally spaced apart non-driven guide rollers" with the term "means to constrain lateral movement of said workpiece." Applicant believes that the Examiner should be satisfied on this point.
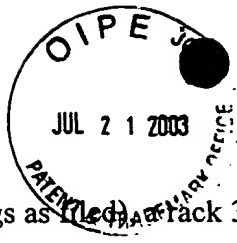
The term "a conveyor table" has been dropped. In the Figures and detailed description of the Figures, the conveyor table is the separate table 16. However, the plurality of horizontally disposed driven rollers could be part of the third support, for example.

Throughout claims 51 and 52, applicant has amended "elongated" to --elongate--.

Applicant has adopted the term "linear drive means" in place of "linear driver" simply because the Examiner indicated that he preferred "metal cutting means" to "metal cutter."

Drawings:

The "linear driver" (amended to "linear drive means") referred to in claims 51 (line 22) and 52 (line 23) of specification page 6, lines 7-14, consists of an electric motor (not shown in

the drawings as filed) a rack 3 (shown in the drawings as filed) and a pinion (not shown in the

drawings as filed) attached to the electric motor which engages with the rack 3. A drawing

correction in which the electric motor and pinion are shown is attached.

Applicant asks the Examiner to reconsider the amended claims and issue a Notice of

Allowance. Corrected formal drawings will be submitted upon notice of allowance.

Respectfully submitted,
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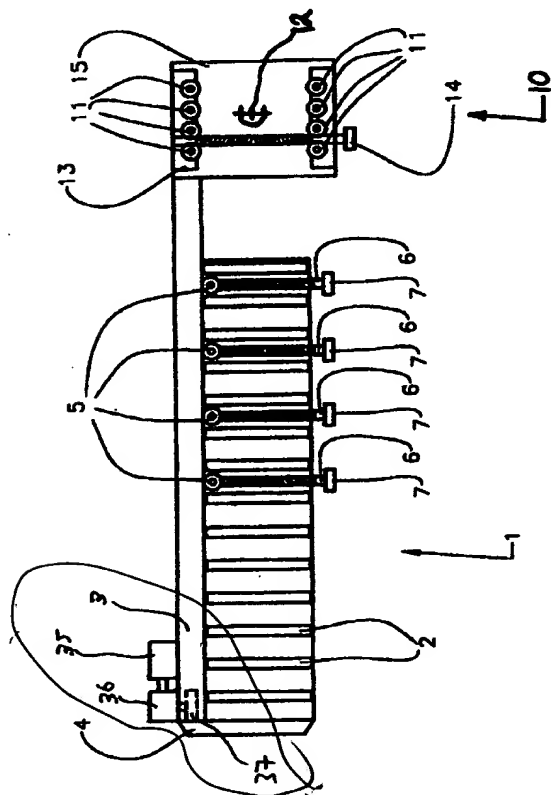
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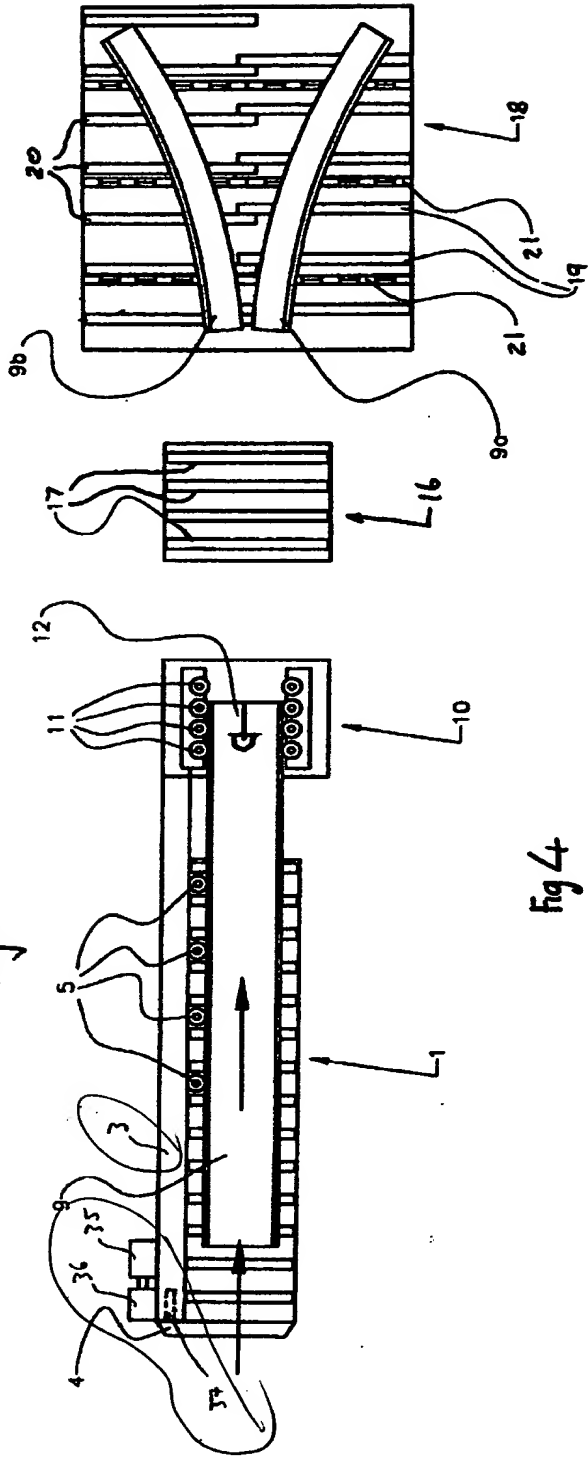
Bianca Grossweiler

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FIG. 1

Fig 3

Fig 4